

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTIAN LEWIS,

Plaintiff,

v.

NATIONSTAR MORTGAGE,

Defendant.

Case Number 14-10204

Honorable David M. Lawson

Magistrate Judge R. Steven Whalen

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORTS AND
RECOMMENDATIONS AND DENYING PLAINTIFF'S MOTION TO REMAND,
GRANTING GINNIE MAE AND NATIONSTAR MORTGAGE'S MOTION TO
DISMISS, GRANTING BANK OF AMERICA, N.A.'S MOTION TO DISMISS, AND
GRANTING FANNIE MAE'S MOTION FOR SUMMARY JUDGMENT**

Presently before the Court are the reports issued on July 25, 2014 by Magistrate Judge R. Steven Whalen pursuant to 28 U.S.C. § 636(b), recommending that the Court deny the plaintiff's motion to remand, grant Ginnie Mae and Nationstar Mortgage's motion to dismiss, grant Bank of America, N.A.'s motion to dismiss, and grant Fannie Mae's motion for summary judgment. Although the report stated that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's reports and recommendations [dkt. #31, #32] are **ADOPTED**.

It is further **ORDERED** that the plaintiff's motion to remand [dkt. #13] is **DENIED**.

It is further **ORDERED** that the plaintiff's claims against Schneiderman & Sherman, P.C. are severed pursuant to Rule 21 of the Federal Rules of Civil Procedure and consolidated with case number 13-11693.

It is further **ORDERED** that Ginnie Mae and Nationstar Mortgage's motion to dismiss [dkt. #2] is **GRANTED**.

It is further **ORDERED** that Bank of America, N.A.'s motion to dismiss [dkt. #5] is **GRANTED**.

It is further **ORDERED** that Fannie Mae's motion for summary judgment [dkt. #11] is **GRANTED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: August 12, 2014

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 12, 2014.

s/Shawntel Jackson
SHAWNTEL JACKSON